

**APPROVED AS AMENDED BY THE BOARD OF SELECTMEN**

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
OCTOBER 5, 2004**

**ATTENDANCE:** Evonne M. Klein, First Selectwoman; Joseph Miceli;  
Barbara Thorne; Robert Harrel, Jr.; Linda Santarella

**STAFF:** John Crary, Administrative Officer

**CALL TO ORDER**

The First Selectwoman called the Regular Meeting to order at 5:20 p.m.

**FIRST SELECTWOMAN'S REPORT**

The First Selectwoman reported that there was a public hearing tonight at 7:00 p.m. called by the CT Siting Council pertaining to CL&P's proposal to install a 115-kilovolt transmission line running from Stamford to Norwalk and would cross into Darien. She noted that the Board of Selectmen would hold a Special Meeting tomorrow night to continue this meeting and hear the agenda items that could not be heard this evening in order for the Board to attend the public hearing.

Ms. Klein reported that the Tax Assessor's office has done a great job with the building permits and that this would be addressed later in the meeting in more detail.

Ms. Klein reported that she met with the Sports Council regarding the number of children on the wait list and the number of available playing fields. She noted that the Board of Education is looking for other sports activities opportunities as the enrollment in the schools increases.

She reported that she met with Affordable Housing as a follow-up pertaining to the need for Senior Housing and land availability.

Ms. Klein reported that she met with the Darien Nature Center and some concerns about the lease and parking will be on the agenda for tomorrow's meeting.

Ms. Klein announced that a Town of Darien Community Volunteer Application had been developed and could be found on the website. She noted that current positions were open for the Senior Center Task Force, the IT Committee, the Charter Revision Commission and the RTM.

Ms. Klein reported that the Heights Flooding Committee met on October 7<sup>th</sup> and that Bob Steeger will meet with DOT engineers and the Heights merchants to talk about possible remedies. She thanked Senator Andrew McDonald for getting the DOT to come down.

Ms. Klein reported that some of the upcoming repairs to be done at the Noroton Railroad station were lighting and repairing the pedestrian overpass.

### **ADMINISTRATIVE OFFICER'S REPORT**

Mr. Crary reported that he was working on a grant for obtaining funds to supplement the salary and expenses of Mark McEwen, the Emergency Management Director. He stated the amount would probably be between \$4,000 to \$10,000.

Mr. Crary reported that he received notice from the State that the STEAP application had been approved for two grants in the amount of \$75,000. He stated that one grant would be used for lights at Tilly Pond for \$31,000 and the other for Pear Tree Beach and Boat ramp lighting and sidewalks for \$44,000.

Mr. Crary reported that upcoming future agenda items for the Board of Selectmen could now be found on the website.

### **NEW BUSINESS**

a) **Report from Peter Maglathlin, Chairman of the High School Building Committee on the status of the new High School**

Ms. Jennie Streeter, reported that she was present for Mr. Maglathlin who was not able to attend this evening. She stated that there is continuing good news on the budget and on the schedule. She noted that the schedule was in great shape with expected completion in May. She reported that the building was almost completely enclosed and she wished to schedule a tour for the Board in November.

Ms. Streeter reported that some of the current site work being done were the baseball field trees, tennis courts, putting down the track, and filling the courtyard. She reported that the bleachers will be up by the end of the week.

She continued that Phase III's budget was approved for technology and furniture and the first draft was brought to the Board of Education. She noted that they will spend over \$1 Million on technology for the school and that furniture will come in under the \$1.8 M budgeted.

b) **Report from Bruce Hill, Chairman of the Tokeneke School Building Committee on the status of their work**

Mr. Bruce Hill reported that since July the Committee has been working with Tai Soo Kim Partners (TSK) to develop a schematic design for the new school and they are now nearing the end of the schematic design phase. Mr. Hill stated that some of the challenges the Committee has faced are designing a compact and efficient school to fit in the existing

field space, locating replacement field space of an appropriate size in a convenient and safe location, and providing adequate parking and traffic circulation. He continued that the design must be capable of being implemented while the existing building complex remains operational. It must also be respectful of site conditions such as trees and inland wetlands containing a nature trail, and must be within the context of the surrounding neighborhood. Mr. Hill concluded by stating that the Committee has made steady progress and it is their goal to have the plan ready for cost estimating by the end of October. He added that at the next Committee meeting on Thursday they will be discussing the timing of the next funding request and the balance of the schedule through the June 2005 state funding application deadline. Ms. Thorne thanked the Committee for their hard work on this project.

**c) Discuss with Bob Steeger, Public Works Director, proposed changes to the Town's Dump regulations**

The First Selectwoman stated that due to time constraints, this agenda item would be heard at tomorrow's meeting.

**d) Discuss with Bob Steeger, Public Works Director, drainage issues throughout the Town**

Mr. Bob Steeger stated that the Town Charter assigns responsibility to the Department of Public Works for the draining of all public streets and therefore the Department's responsibilities are limited to the public right of way. With respect to natural drainage courses, he reported that the Department must allow the water to pass through the right of way but is not responsible for maintenance of the brook or stream itself. He said that the recent heavy rains on August 28, September 8 and September 18 produced flooding situations at numerous locations in town. He then described three locations and the actions the DPW has taken or planned to take and possible additional actions that could be explored.

Mr. Steeger reported that Heights Road has been a problem for at least fifty years. On August 28, a short intense downpour threatened to flood the shops in the Heights but fortunately the storm subsided leaving wet floors in Vavala's Deli but no substantial damage. He continued that rainfall on September 8, estimated at 4 to 5 inches, caused periodic flooding of Heights Road but did not get close to entering the shops. On September 18, the DPW responded to the scene with sandbags and prevented one foot of water from causing damage to Vavala's. Heights Road was also impassable at this time.

Mr. Steeger continued that in May, the Phase I drainage report was completed. It confirmed the inadequate capacity of the culvert under the railroad tracks causes flooding in the Heights Road area. The study modeled flood levels downstream of the railroad embankment and concluded that increasing the size of the railroad culvert to eliminate flooding would not significantly worsen flooding downstream. Phase II was to evaluate alternatives and prepare design plans, however funding was not approved by the Board of Finance.

Mr. Steeger said that earlier this year, the DPW modified the outlet control structure on the detention basin that was constructed as part of the Middlesex Junior High project to more fully utilize its detention capability and reduce flows in the Heights Road culvert. He noted that the First Selectwoman has sought assistance from State Sen. Andrew McDonald to identify additional sources of funding and the State Agencies that have jurisdiction and responsibility for the railroad culvert. A meeting is scheduled for October 7<sup>th</sup> with the DOT to determine their position. Mr. Steeger concluded by stating that regardless of what happens, it will take a long time to resolve the Heights Road flooding issue and he encouraged property owners to buy flood insurance and to flood proof their individual properties.

Mr. Steeger next reported that Holly Lane is drained by a tributary of the Stonybrook which crosses Holly Lane via a 36" pipe near 10 Holly Lane. He noted that during several of the recent storms Holly Lane was impassable due to flooding and caused at least one property to become unreachable for several hours. He reported that although the 36" pipe is clean, accumulated sediments downstream produce a backwater effect that leaves approximately 24 inches of water standing in the 36" pipe. He continued that removing the sediment and improving the stream channel would increase the capacity of the brook however, the gradient of Stonybrook is flat thereby raising the possibility that under extreme conditions flooding of the main channel may cause a backwater effect even if the tributary channel is improved. He stated that without surveying and modeling it would be impossible to accurately predict the performance of this stream channel.

Mr. Steeger reported that the possibility of runoff from the high school property had been reviewed as part of the drainage analysis. He said that the project engineers analyzed stormwater flows after completion of the project as well as in the interim with old and new buildings standing, to insure that peak rates of runoff did not exceed pre construction levels. According to the analysis, neither the interim nor the fully constructed alternative increase peak flows above pre construction levels, in fact, when the project is completed, the peak rate of runoff will be less than it is today.

Mr. Steeger reported that in the last two days they have discovered the possibility of another 36" pipe between the brook that crosses Holly Lane and Middlesex Road. He said the pipe is in an easement in favor of the Town and the easement requires the Town to construct and maintain the pipe. He reported that a field inspection failed to locate the end of the pipe however, they will keep trying to locate it and if the pipe is intact, it will provide an overflow bypass for the Holly Road drainage. If it is not intact, the Town will be obligated to repair it. Mr. Steeger concluded by stating that restoring the flow in the 36" pipe combined with channel improvements upstream and the eventual decrease in runoff from the high school property should significantly improve the drainage of Holly Lane.

Ms. Santarella commented that she was at Holly Lane during the storms and they have to find out exactly what the problem is. She questioned if the problem started with the new high school. Ms. Charlene Dale, of 10 Holly Lane, questioned why water stayed in the pipe in front of her house and could not get out. She also asked for a timeframe to resolve the problem. Mr. Steeger replied that if the 36" pipe was intact, the resolution would be quick, if it was not intact they would need an EPC permit and excavation would need to be done which would take longer, possibly in the spring. A resident on 8 Holly Lane stated that the manhole cover on Holly Lane bubbles up and was a health issue and a danger to children and residents. Ms. Cheryl Russell stated that the situation has gotten extremely worse and was affecting the quality of life on their street and the play area for their children. She noted that the drains are full of water and breeding mosquitos. Ms. Russell commented that she believed it was coming from the high school. She also requested that the Board of Selectmen have a street meeting to discuss this further. The First Selectwoman agreed that this was a quality of life issue and that they have identified the problem, the State is coming down to meet on Thursday and the response time has been pretty quick. She stated that this has not been ignored and there has been a lot of focus on it.

Mr. Steeger also reported that on October 26, 2003 the owner of the property at the corner of Abbey Road and Intervale reported significantly flooding in her basement. She stated that this was the first time in 40 years she had flooding. In Mr. Steeger's opinion, the problem was caused by leaves that had dropped during a heavy downpour and winds that clogged the catch basin. Mr. Steeger reported that the Town has installed additional catch basins and curbing that should alleviate the problem.

The First Selectwoman stated that the Board will meet with the neighbors of Holly Lane and that this item would again be placed on the agenda in the future.

**e) Discuss report of the Grand List Committee with Town Assessor, Tony Homicki**

The First Selectwoman stated that due to time constraints, this agenda item would be heard at tomorrow's meeting.

**f) Discuss Monuments and Ceremonies Commission Guidelines and Plan for Memorial Circle**

The First Selectwoman stated that due to time constraints, this agenda item would be heard at tomorrow's meeting.

g) **Discuss with Bob Baker, Beautification Commission, enforcement of the sign ordinance**

The First Selectwoman stated that due to time constraints, this agenda item would be heard at tomorrow's meeting.

**PUBLIC COMMENT**

There were no comments from the public at this time.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

**September 20, 2004 Regular Meeting**

- a) The First Selectwoman stated that due to time constraints, the minutes would be approved at tomorrow's meeting.

**FORTHCOMING MEETINGS**

October 5, 2004	Planning & Zoning Commission Planning Meeting at 8:00 p.m.
October 6, 2004	Board of Selectmen Special Meeting at 5:45 p.m.
October 12, 2004	Planning & Zoning Commission General Meeting at 7:00 p.m.
October 18, 2004	Board of Selectmen Regular Meeting at 7:30 p.m. (Library)
October 19, 2004	Board of Finance Regular Meeting at 8:15 p.m.
October 20, 2004	Parks & Recreation Commission Regular Meeting at 7:30 p.m.
October 21, 2004	Operations Planning Committee Meeting at 12:00 p.m.
October 25, 2004	Public Hearing held by the Board of Selectmen at 8:00 p.m. - Auditorium

**OTHER BUSINESS**

(A two-thirds majority vote is required to add an item to the agenda)

- \*\* MR. HARREL MOVED TO ADJOURN THE MEETING TO OCTOBER 6, 2004.**  
**\*\* MS. SANTARELLA SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 6:35 p.m.

Respectfully Submitted,

Donna DeVito  
Telesco Secretarial Services